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May 1, 2008

The Honorable Sue L. Robinson
United States District Court
844 King Street
Wilmington, DE 19801

VIA ELECTRONIC FILING

Re: *Time Warner Cable Inc. v. USA Video Technology Corporation*,
C.A. No. 06-387-SLR

Dear Judge Robinson:

I represent the plaintiff in the above action, in which Your Honor has scheduled a Rule 16 teleconference at 2:00 p.m. on May 19, 2008 (D.I. 40). I am writing on behalf of both parties to convey our mutual belief that there is no need for further proceedings in this matter, and that the May 19th teleconference can and should be cancelled.

Prior to this case's reassignment from the vacant judgeship to Your Honor, defendant filed a motion to dismiss, stay, or transfer (D.I. 10), and Judge Thyng subsequently issued a memorandum order dismissing the case (D.I. 38). That ruling was not contested. The parties therefore are of the view that this case is over, that there is no reason for further proceedings, that the May 19th teleconference should be cancelled, and that the Court's file can be closed.

If there remains some issue that the Court wishes to discuss on May 19th in connection with this action, then counsel of course will gladly participate in the scheduled teleconference. On the other hand, if the scheduling of this teleconference simply was an administrative oversight, then the parties would be grateful if the Court please will so confirm, so that there is no uncertainty as to whether we have any further obligations in connection with this matter.

Respectfully,

/s/ Steven J. Balick

Steven J. Balick

SJB/dmf

cc: Jeffrey M. Olson, Esquire (via electronic mail)
Richard K. Herrmann, Esquire (by hand and via electronic mail)
Edward W. Goldstein, Esquire (via electronic mail)